

Exhibit I

1 otherwise problematic about the discovery sought by the debtor.
2 I don't share the ACC's concerns about this discovery
3 unleashing the floodgates for aggregate discovery on debtors in
4 bankruptcy cases and that issue can be addressed on a case-by-
5 by case basis.

6 I'm also hard-pressed to feel sympathetic towards the
7 ACC in the face of the discovery that they just served on the
8 debtor. Their major complaint was that it would precipitate
9 discovery by them on those same debtors, but they didn't
10 clearly articulate exactly what that discovery will need to be.

11 And in addition, the discovery the debtor seeks is
12 consistent with the discovery the Court previously found was
13 relevant and ordered from the trusts and through the personal
14 injury questionnaires for purposes both of the debtor's
15 estimation case and rebuttal of the ACC and FCR's case. Three
16 of the four debtors upon whom the discovery was served did not
17 object to the discovery. DBMP did indicate at the hearing that
18 it was willing to condition production on Bestwall's agreement
19 to protect the responsive data pursuant to a protective order
20 and I will direct that the data be produced subject to such a
21 protective order.

22 And it appears that the discovery was largely
23 precipitated by the fact that the debtor has been entirely
24 unsuccessful in getting discovery from the trusts and
25 stonewalled in its efforts to get the PIQ discovery from the

1 non-compliant claimants.

2 And we don't hold a crystal ball regarding what the
3 Third Circuit may do on appeal, but my hope is that by getting
4 this information it may accelerate the debtor's discovery,
5 particularly in the event that the debtor does not succeed on
6 appeal in the Third Circuit.

7 Nevertheless, Ms. Ramsey was right when she said it
8 was time to start contracting the university of, the universe
9 of discovery rather than expanding it and in that regard the
10 debtor conceded at the hearing on the motion to strike that it
11 was really focused on the 2700 claim sample, plus the 6,000
12 pending mesothelioma claims, and offered that that was the
13 information the debtor really needs.

14 So in an effort to begin reining in discovery, that's
15 what I will allow and I'll grant the motion to strike as to the
16 balance of the approximately 21,300 claimants.

17 With respect to at-issue waiver, I'll deny that part
18 of the motion. I can't conclude there's been at-issue waiver
19 pursuant to the Rhône-Poulenc standard where the debtor is
20 seeking discovery from third, from a third party that is not,
21 that is non-privileged information. By seeking this discovery,
22 the debtor has not asserted a claim or a defense and attempted
23 to prove that claim or defense by disclosing an attorney-client
24 communication.

25 So that is the Court's ruling with respect to the